

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1-20 were pending at the time of the outstanding Office Action. With this Amendment, claims 1 and 9 have been amended, and claims 5 and 12 have been cancelled without prejudice. Support for the amendments can be found at least in original claim 5, and in the specification on page 12, lines 10-11. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-4, 6-11, and 13-20 are now pending in this application.

Prior Art Rejection:

Claims 1, 2, 4, 5, 9, 10, 11 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,619,991 to Sloane (“Sloane”) in view of U.S. Patent No. 5,911,687 to Sato et al. (“Sato”). Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Sloane and Sato in view of U.S. Patent No. 5,553,609 to Chen. Claims 6, 7, 8, 13, 14 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sloane and Sato in view of U.S. Patent No. 5,301,105 to Cumming, Jr. (“Cumming”). Applicant respectfully traverses these rejections for at least the following reasons.

Independent claim 1, as amended, recites: “said client requesting a home medical examination makes a request for a medical examination of a disease by accessing said medical center terminal through said user terminal and entering request information into a home medical examination request of a predetermined format prepared in said medical center terminal, **said request information including current symptoms.**” (emphasis added) Thus, in claim 1, the request information itself of the request for a medical examination includes current symptoms. Sloane fails to disclose at least this feature of claim 1.

Sloane discloses a patient initiating a data call from a personal computer 11 to an e-doc computer 121, where the e-doc computer prompts the caller for an ID, patient history, name, and prior illnesses and surgeries (FIG. 2, col. 3, lines 48-65). Sloane also discloses the e-doc computer executing a software medical expert system in block 33 of FIG. 2 where the system prompts the caller for symptoms (col. 4, lines 3-9). Sloane, however, does not disclose that the request information itself of the request for a medical examination includes current symptoms as recited in claim 1. Rather Sloane discloses that its system prompts the caller for symptoms (block 33) only after the request for medical examination, and the software medical expert system is initiated.

Sato, Chen and Cumming were cited for other features of the claims, but fail to cure the deficiencies of Sloane.

With regards to Sato, client symptoms are only obtained by the doctor (Fig. 17, Step 1209; column 14, lines 35-38). Sato further asserts that patient information can be found in a database for case retrieval, and is input by a doctor as code information (column 15, lines 33-38). Thus, there is no teaching or suggestion in Sato of a “client requesting a home medical examination makes a request for a medical examination of a disease by accessing said medical center terminal through said user terminal and entering request information into a home medical examination request of a predetermined format prepared in said medical center terminal, **said request information including current symptoms**”. (Independent claims 1 and 9; emphasis added)

Chen appears to be directed towards a computer-based remote visual monitoring system that is able to provide in-home patient health care from a remote location. Although the system of Chen is able to display information to a health care professional, there is no disclosure in Chen of a client requesting a medical examination and submitting information such as their symptoms. Specifically, Chen does not teach or disclose “client requesting a home medical examination makes a request for a medical examination of a disease by accessing said medical center terminal through said user terminal and entering request information into a home medical examination request of a predetermined format prepared in

said medical center terminal, **said request information including current symptoms**”.
(Independent claims 1 and 9; emphasis added)

Cumming also does not disclose inputting request information that includes current symptoms. Cumming is directed towards an integrated health care system in which information is input into physician office terminals (column 4, lines 7-11) There is no teaching or suggestion in Cumming of requesting home medical examinations, or of a “client requesting a home medical examination makes a request for a medical examination of a disease by accessing said medical center terminal through said user terminal and entering request information into a home medical examination request of a predetermined format prepared in said medical center terminal, **said request information including current symptoms**”. (Independent claims 1 and 9; emphasis added) In fact, the disclosure of Cumming does not mention home medical examinations, let alone user requests for such examinations. Thus, Cumming also fails to mention user requests that include information regarding current symptoms.

If these rejections are maintained, the examiner is respectfully requested to point out where this feature is disclosed in Sloane, Sato, Chen or Cumming.

Independent claim 9 has been amended in a fashion corresponding to claim 1 to recite “**said request information including current symptoms**”, and is patentable for reasons analogous to claim 1 discussed above.

The dependent claims are also patentable for at least the same reasons as the independent claims on which they ultimately depend. In addition, they recite additional patentable features when considered as a whole. As mentioned above, Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

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The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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